

KILPATRICK TOWNSEND & STOCKTON LLP  
GREGORY S. GILCHRIST (State Bar No. 111536)  
ggilchrist@kilpatricktownsend.com  
JENNIFER D. ARKOWITZ (State Bar No. 236598)  
jarkowitz@kilpatricktownsend.com  
RYAN BRICKER (State Bar No. 269100)  
rbricker@kilpatricktownsend.com  
Eighth Floor, Two Embarcadero Center  
San Francisco, CA 94111  
Telephone: 415 576 0200  
Facsimile: 415 576 0300

Attorneys for Plaintiff  
ALIPHCOM, a California corporation

**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**

ALIPHCOM, a California corporation,

Plaintiff,

v.

BEIJING DUNHUANG HEGUANG  
INFORMATION TECHNOLOGY CO.  
LTD.; and DOES 2 through 58,

Defendants.

Civil Action No. 13-cv-5916 KAW

**REQUEST TO CONTINUE CASE  
MANAGEMENT CONFERENCE AND  
ORDER**

Mag. Judge: Hon. Kandis A. Westmore

Plaintiff AliphCom (“Jawbone” or “Plaintiff”) submits this request to continue the Case Management Conference. Jawbone filed its Complaint on December 20, 2013, and filed its First Amended Complaint on April 14, 2014. Despite its efforts to do so, Jawbone has not yet been able to serve Defendant Beijing Dunhuang Huguang Information Technology Co. Ltd. (“DHGate”), a foreign company located in China. Jawbone has proposed alternative service arrangements, including a waiver of service, to counsel in the U.S. who contacted Jawbone on DHGate’s behalf, but Jawbone has not received a substantive reply. Absent a response to those proposals, Jawbone intends to resume its efforts to serve DHGate with the Complaint, First Amended Complaint, and related filings and papers, pursuant to Federal Rules of Civil Procedure (“FRCP”) 4(h)(2) and 4(d).

A Case Management Conference is scheduled before the Court on October 28, 2014. In

1 light of Jawbone's ongoing efforts to serve DHGate, a foreign company located in China, Jawbone  
2 respectfully requests that the Court continue the Case Management Conference for ten (10) weeks,  
3 or until January 20, 2015, at 1:30 p.m., to allow Jawbone to complete service on DHGate.

4 Respectfully submitted,

5 KILPATRICK TOWNSEND & STOCKTON LLP

6  
7 DATED: October 21, 2014

By: /s/ Ryan Bricker

8 Gregory S. Gilchrist  
9 Jennifer D. Arkowitz  
10 Ryan Bricker

Attorneys for Plaintiff  
ALIPHCOM

11 IT IS SO ORDERED.

12  
13 Dated: October 27, 2014

  
14 Hon. Kandis A. Westmore  
15 United States Magistrate Judge  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28